

## **REMARKS**

Claims 1-5 are pending in the application. Claims 1-5 have been rejected. Claim 1 has been amended. Applicant respectfully requests reconsideration in view of the foregoing amendments and the remarks hereinbelow.

### **Rejection of Claims 1-5 under 35 U.S.C. §112:**

Claims 1-5 have been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Examiner states that the claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. In particular, the Examiner states that the specification as originally filed fails to provide support for the language "(w)herein the photothermographic element is a film designed for scanning with film scanners such that  $D_{min}$  density of no more than 2.0, a  $D_{max}$  density of no more than 4.0 and a  $D_{max} - D_{min}$  density change at least 1.0 is formed in each color record after thermal development of 100 °C to 160 °C". The Examiner states that this language is not apparent from the specification and the Applicants fail to clearly point out the antecedent basis thereof or explain as to why the language presented therein was derived from the specification disclosure, and this language raises no new matter to the specification.

Support for the amended language is to be found on page 82, lines 19-22 in Example 3. The imagewise exposure is found on page 83, lines 1-5. Support for the temperature range of thermal development is to be found on page 59, lines 5. Accordingly, as stated in the Summary of the Invention, the present invention is directed to a photothermographic element in which the density formed in a thermally processed photothermographic element is limited (as subsequently described) for the purpose of scanning the element prior to removal of silver halide, metallic silver, and/or any organic silver salts.

It is respectfully submitted, therefore, that in view of the above amendments and remarks, that this application is now in condition for allowance, prompt notice of which is earnestly solicited.

Respectfully submitted,



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